



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**MCHALE & SLAVIN**  
**2855 PGA BLVD.**  
**PALM BEACH GARDENS, FL 33410**

**COPY MAILED**

**SEP 28 2005**

**OFFICE OF PETITIONS**

In re Application of :  
George JACKOWSKI et al. :  
Application No. 09/845,715 :  
Filed: April 30, 2001 :  
Attorney Docket No. 2132.030 :

**ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed May 16, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed November 14, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on February 15, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment, Request for Continued Examination, and the \$395 filing fee; (2) the petition fee of \$750; and (3) the required statement of unintentional delay have been received. Accordingly, the RCE and reply to the non-final Office action of November 14, 2003 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to David A. Bucci at (571) 272-7099 or in his absence, the undersigned at (571) 272-3217.

The application file is being referred to Technology Center AU 1631 for appropriate action on the concurrently filed Request for Continued Examination and amendment.

Brian Hearn  
Petitions Examiner  
Office of Petitions